

1 Q But is this something that you did sign and a
2 copy of which might be in your file?

3 A It could be in my file, yes.

4 Q Okay. But is this -- let me give you a second to
5 read it over and tell me if that's accurate.

6 A I'm familiar with the form.

7 Q Does that accurately describe your job?

8 A Yes.

9 Q Okay. That way I don't have to ask you to
10 describe your job.

11 A Okay.

12 Q Who's your immediate supervisor?

13 A Gerry O'Dell, G-E-R-R-Y.

14 Q And who does Gerry O'Dell work for?

15 A He works also for LFC Management.

16 Q And does he work -- and what is his position?

17 A He is currently the COO, chief operating
18 officer -- operations officer. I'm sorry.

19 Q Okay. Does he -- is he also a -- a farm operator
20 or --

21 A He oversees the farm operations.

22 Q Okay. So does he actually like travel from one
23 farm to the next during the harvest?

24 A Yes.

25 Q And I guess he also does it during planting?

1 A Correct.

2 Q So do you and he see each other on a daily basis?

3 A I wouldn't say a daily basis, but we see each
4 other throughout the week, yes.

5 Q Okay.

6 A We communicate on a daily basis.

7 Q All right. So as the manager of Compliance what
8 is -- what do you do -- give me what you do on a daily
9 basis.

10 A What I do is manage the operations on their
11 request of tasks that need being done on the farms.

12 Q Okay.

13 A And I coordinate those tasks through crew
14 leaders.

15 Q Okay. And those tasks include planting, I
16 suppose, harvesting, but after that I'm sort of weak.
17 What other tasks are there that you have to --

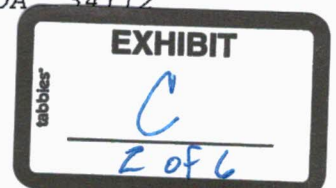
18 A The last procedure is what we call "clean-up
19 procedure."

20 Q Okay. So planting, harvesting, and clean-up?

21 A Correct.

22 Q And is clean-up where you till the soil and plow
23 everything under or is that just -- is that done with a
24 different group of people?

25 A It is also performed by labor, by individuals



1 that pull plastic -- a plastic mulch that we use, the
2 stakes that we use to maintain the plants up, and the
3 string is removed as well. That holds the plants up as
4 well.

5 Q That's the clean-up?

6 A Yes, sir.

7 Q Okay. And then so at some point sometime someone
8 goes back in there and plows the field, but that's -- that
9 doesn't have anything to do with your -- or is that part
10 of planting?

11 A It's not part of planting. It's part of the
12 clean-up.

13 Q Oh, it is. Okay.

14 A And the operations manager directs those
15 individuals, which are tractor drivers.

16 Q Okay. Okay. Right now I think we're more
17 focused on the harvesting since this happened in July.

18 A I'm sorry. Repeat the question -- or that.

19 Q I'm going to be focusing on harvesting because
20 this accident happened in July.

21 A Okay.

22 Q So you work for LFC Management Services, Inc.?

23 A Yes.

24 Q As does Mr. O'Dell and I'd like to go and
25 when -- start with Kuzzen's farm in South Carolina.

1 Who determines when the harvesting should begin
2 in Kuzzen's farm in South Carolina and how do you
3 implement that?

4 A The person that makes the decision when the
5 harvest starts is Gerry O'Dell.

6 Q Okay.

7 A He then in return gives me direction and lets me
8 know when the harvest day is going to start and then I
9 inform the crew leaders what date we're going to start.

10 Q Okay. And how do they know -- well, I'm assuming
11 that the crew leaders and the workers that you're going to
12 use in South Carolina are working on another farm in
13 Florida when you notify them that, "Hey, on this date
14 we're going to start in South Carolina"; is that correct?

15 A The crew leaders would be in different locations
16 throughout Florida and -- could you repeat the question
17 again?

18 Q Well, I'm just trying to figure out do they
19 all -- does Mr. O'Dell determine that they're going to
20 stop working in Florida and everybody go to South
21 Carolina? How does --

22 A He informs me the date that we're going to start.
23 I in return inform the crew leaders what day we're going
24 to start, and they in return leave the operation where
25 they're at in order to get to the place we're going to

1 start -- the next place they're lined up to -- or
2 contracted to perform work.

3 Q How do you determine how many crew leaders to
4 contact and how many people you need at the farm in South
5 Carolina?

6 A That is dependent -- I mean, based on the amount
7 of acreage we grow there.

8 Q Okay. Is that the same amount of acreage every
9 year?

10 A It tends to average, yes, about the same amount.

11 Q Okay. So do you know approximately how many
12 agricultural laborers that you need for South Carolina?

13 A I determine how many crew leaders I need. In
14 return they recruit the amount of labor that I need for
15 that operation and once that piece is put in place, they
16 report to me and actually tell me how many laborers
17 they're recruiting and then I assign them a location where
18 to stay at at South Carolina, if we're talking about South
19 Carolina.

20 Q Okay. Yeah, let's start -- let's just focus on
21 South Carolina right now. Okay. So do you tell each crew
22 leader how many -- how many hands you need on the farm?

23 A I tell them how many beds I have available or
24 places I have available for them to stay at.

25 Q Okay. All right. So let's -- so you call --

1 going to be there.

2 Q And what happens if they don't get there by that
3 date?

4 A They're late.

5 Q What?

6 A They're late. We just -- we're going to have to
7 wait until he or she is ready to start their operation to
8 assist in the harvest.

9 Q Okay. And then they work in Virginia until you
10 tell them that the work is done?

11 A Correct. And we have another start-up date that
12 comes up at a different location.

13 Q All right.

14 MR. BAKER: I think those are all the questions I
15 have.

16 FURTHER CROSS-EXAMINATION

17 BY MR. PAGE:

18 Q Mr. Garcia, this is Alex Page again. I
19 apologize. Just a few follow-up questions just to clarify
20 something.

21 Where did you say that the bus was taken to after
22 the accident?

23 A A neighboring farm field.

24 Q How do you spell that?

25 A A farm.

